



Reference: *Price Waterhouse Coopers as Receiver and Manager of Barcode Systems Inc. v. Symbol Technologies Canada ULC*, 2004 Comp. Trib. 5

File no.: CT2003008

Registry document no.: 0016

IN THE MATTER OF an application by Price Waterhouse Coopers as Receiver and Manager of Barcode Systems Inc., for an order pursuant to section 75 of the *Competition Act*, R.S.C. 1985, c. C-34.

B E T W E E N:

Price Waterhouse Coopers as Receiver and Manager of Barcode Systems Inc.
(applicant)

and

Symbol Technologies Canada ULC
(respondent)

Date of conference call: 20040518

Member: Lemieux J. (presiding)

Date of order: 20040519

Order signed by: Lemieux J.



ORDER SETTING A DATE FOR FILING OF APPLICATION UNDER SECTION 75 OF THE *COMPETITION ACT*

[1] FURTHER TO an application for leave pursuant to subsection 103.1(1) of the *Competition Act*, R.S.C. 1985, c. C-34 (the “Act”) to make an application under section 75 of that Act;

[2] AND FURTHER TO the Reasons and Order Regarding Application for Leave to Make an Application Under Section 75 of the *Competition Act*, [2004] C.C.T.D. No. 1 (QL);

[3] AND FURTHER TO subsection 103.1(8) of the Act and the Practice Directions for the Competition Tribunal dated August 30, 2002 (the “Practice Directions”);

[4] AND ON CONSIDERING the submissions of counsel for both the applicant and the respondent at a conference call on May 18, 2004;

[5] AND ON CONSIDERING the consent of the parties to change the style of cause to reflect the appointment of Price Waterhouse Coopers as Receiver and Manager of Barcode Systems Inc.;

THE TRIBUNAL ORDERS THAT:

[6] The applicant shall file its application under section 75 of the Act within 30 days of the date of this order.

[7] The respondent shall file a response within 30 days after the service of the application pursuant to subsection 113(1) of the Practice Directions.

[8] After the expiration of the period for filing a response, the registry of the Competition Tribunal shall contact counsel for the parties to set a date for a case management conference pursuant to section 120 of the Practice Directions.

[9] The style of cause shall be amended to reflect the appointment of Price Waterhouse Coopers as Receiver and Manager of Barcode Systems Inc.

DATED at Ottawa, this 19th day of May, 2004.

SIGNED on behalf of the Tribunal by the judicial member.

(s) François Lemieux

APPEARANCES

For the applicant:

Price Waterhouse Coopers as Receiver and Manager of
Barcode Systems Inc.

Lindy J.R. Choy

For the respondent:

Symbol Technologies Canada ULC

David Hill